

**74 FLRA No. 58**

SOCIAL SECURITY ADMINISTRATION  
(Agency)

and

AMERICAN FEDERATION  
OF GOVERNMENT EMPLOYEES  
LOCAL 4012  
(Union)

0-AR-6040

ORDER DISMISSING EXCEPTIONS

April 3, 2026

Before the Authority: Colleen Duffy Kiko, Chairman,  
and Anne Wagner and Charles O. Arrington, Members

**I. Statement of the Case**

The parties arbitrated a dispute about a letter of reprimand (reprimand) that the Agency issued to an employee (the grievant). Arbitrator Elizabeth C. Wesman issued an award directing the Agency to remove the reprimand from the grievant's personnel file, and the Agency filed exceptions to the award. While the exceptions were pending, the reprimand expired. Because the Agency's exceptions are moot, we dismiss them.

**II. Background and Arbitrator's Award**

The Agency issued the reprimand to the grievant and placed it in her personnel file in September 2024. The Union grieved the reprimand, and the unresolved grievance advanced to arbitration. The parties' stipulated issues were: "Was the . . . reprimand . . . based on just cause and in accordance with the [agreement] . . . ? If so, what is the appropriate remedy?"<sup>1</sup>

Before the Arbitrator, the Agency represented that "the reprimand would remain in [the grievant's]

personnel folder for only one year's time from its issuance."<sup>2</sup> Further, the Arbitrator found that the reprimand would "expire[] in September 2025."<sup>3</sup>

Although the Arbitrator concluded that the reprimand was issued "based on just cause and in accordance with the [agreement],"<sup>4</sup> in her May 2025 award, she directed the Agency to remove the reprimand from the grievant's personnel file "so that her record is cleared going forward."<sup>5</sup>

The Agency filed exceptions to the award on June 9, 2025, challenging the Arbitrator's direction that the Agency remove the reprimand from the grievant's personnel file. The Union filed an opposition to the exceptions on July 9, 2025.

**III. Analysis and Conclusion: The exceptions are dismissed as moot.**

Where exceptions concern issues that have been resolved by interim events since the issuance of an award, the Authority will dismiss those exceptions as moot.<sup>6</sup>

The Arbitrator found that, in September 2025, the reprimand would expire.<sup>7</sup> In January 2026, the Authority's Office of Case Intake and Publication directed the Agency to explain whether it continued to have a legally cognizable interest in the outcome of this dispute.<sup>8</sup>

In its response to the order, the Agency explains that the reprimand was "removed from the grievant's personnel file and is no longer in effect."<sup>9</sup> Accordingly, the Agency "acknowledges that the issue[s] presented by its exceptions [are] moot" and requests that the Authority "dismiss the exceptions."<sup>10</sup>

An interim event – specifically, the expiration of the reprimand – has resolved the issues that the Agency's exceptions raise. Therefore, we find that the exceptions are moot, and we dismiss them as requested.<sup>11</sup>

**IV. Order**

We dismiss the Agency's exceptions.

<sup>1</sup> Award at 2.

<sup>2</sup> *Id.* at 6.

<sup>3</sup> *Id.* at 8.

<sup>4</sup> *Id.* at 9.

<sup>5</sup> *Id.* at 8-9.

<sup>6</sup> *E.g., NTEU*, 70 FLRA 57, 59-60 (2016).

<sup>7</sup> Award at 8.

<sup>8</sup> Order at 1-2 (citing *U.S. DHS, CBP, U.S. Border Patrol, Laredo Sector*, 70 FLRA 921, 922 (2018) (Member DuBester

concurring) (citing *IAMAW, Dist. Lodge 776*, 63 FLRA 93, 94 (2009))).

<sup>9</sup> Agency's Resp. Br. at 1.

<sup>10</sup> *Id.* at 2.

<sup>11</sup> *See, e.g., NTEU*, 70 FLRA at 59-60; *U.S. Dep't of the Army, Army Info. Sys. Command, Savanna Army Depot*, 38 FLRA 1464, 1468 (1991) (where events after the issuance of an award mooted the exceptions to the award, Authority dismissed the exceptions as moot).